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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/801,883	03/08/2001	Gerbrand Deetman	713629.354	7184
27128 7590 03/25/2009 HUSCH BLACKWELL SANDERS LLP 720 OLIVE STREET SUITE 2400 ST. LOUIS, MO 63101				
EXAMINER				
OGDEN JR, NECHOLUS				
ART UNIT		PAPER NUMBER		
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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pto-sl@huschblackwell.com

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte: GERBRAND DEETMAN

Application Number 09/801,883
United States Patent 5,464,551
Technology Center 1700

Mailed: March 24, 2009

Before Lynn M. Kryza, *Deputy Chief Trial Administrator*

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This reissue application was electronically received by the Board of Patent Appeals and Interferences on January 12, 2009. A review of the application revealed that it is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the Examiner to address the following matter(s) requiring attention prior to docketing.

APPEAL BRIEF, CLAIMS APPENDIX

A review of the Appeal Brief filed June 23, 2008 reveals that the Claims Appendix of the Appeal Brief is not in proper format. The copy of the claims should be in proper format and must contain markings such as brackets or underlining in accordance with 37 CFR 1.173(d). *See also Manual of Patent Examining Procedure* (MPEP) § 1454 (8th ed. Rev. 6, Sept. 2007) (“The claims on appeal presented in an appeal brief for a reissue application should include all underlining and bracketing necessary to reflect the changes made to the patent claims during the prosecution of the reissue application. In addition, any new claims added in the reissue application should be completely underlined”).

CONCLUSION

Accordingly, it is

ORDERED that the application is returned to the Examiner for:

1) correction of the Claims Appendix of the Brief filed June 23, 2008;

and

2) for such further action as may be appropriate.

If there are any questions pertaining to this Order, please contact the Board of Patent Appeals and Interferences at 571-272-9797.

LK/ACK

cc:

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